#407

BILL NO. Z-89-08-08

ZONING MAP ORDINANCE NO. Z- Withdrawn

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-38.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a P.O.D. (Professional Office District) under the terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

> Commencing at the Northeast corner of the Southwest Quarter of Section 14, Township 31 North, Range 12 East, Allen County, Indiana; thence West along the North line of the SW 1/4 of Sec. 14-31-12, a distance of 70.0 feet to the true point of beginning; thence South with a deflection angle to the left of 90 degr. 13 min. 40 sec. and parallel to the East line of the SW 1/4 of Sec. 14-31-12, a distance of 312.64 feet; thence West with a deflection angle to the right of 90 degr. 00 min. a distance of 378.0 feet; thence North with a deflection angle to the right of 90 degr. 00 min. and parallel to the East line of the SW 1/4 of Sec. 14-31-12, a distance of 314.14 feet to a point on the North line of the SW 1/4 of Sec. 14-31-12; thence East with a deflection angle to the right of 90 degr. 13 min. 40 sec. along said North line, a distance of 378.0 feet to the point of beginning, containing 2.72 acres, subject to the right of way of Ludwig Road over North 37.5 feet thereof, and subject to easements.

and the symbols of the City of Fort Wayne Zoning Map No. L-38, as established by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Janet G. Bradbury
Councilmember

APPROVED AS TO FORM AND LEGALITY:

J. Timothy McCaulay
J. TIMOTHY MCCAULAY, CITY ATTORNEY

Read the first time in full and on motion by Bradbury, seconded by Long, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock _____.M.,E.S.T.

DATED: 8-8-89.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by _____, seconded by _____, and duly adopted, placed on its passage. PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES				
BRADBURY				
BURNS				
EDMONDS				
GiaQUINTA				
HENRY				
LONG				
REDD				
SCHMIDT				
TALARICO				

DATED: _____

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. _____ on the _____ day of _____, 19____,

ATTEST SEAL

SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19___, at the hour of _____ o'clock _____.M.,E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____, 19____, at the hour of _____ o'clock _____.M.,E.S.T.

PAUL HELMKE, MAYOR

PRESCRIBED BY STATE BOARD OF ACCOUNTS

L.E. BOYCE CO., BURGIS, IND. GENERAL FORM NO. 352

RECEIPT

#18041

№ 7239

COMMUNITY DEVELOPMENT & PLANNING

FT. WAYNE, IND., 7-20 1989

RECEIVED FROM Leroy Lepley $300.00

THE SUM OF Three hundred 00/100 DOLLARS

ON ACCOUNT OF Primary Dev Plan

rezoning

PAID BY: CASH ☐ CHECK ☑ M.O. ☐

AUTHORIZED SIGNATURE

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We Wilmer Rodenbeck & Laverne Linnemeier
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R1 District to a/an P.O.D. District the property described as follows:

See attached legal description and site plan.

(Legal Descrption) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address)	(Signature)
Wilmer Rodenbeck	4723 Kroemer Road Fort Wayne, In	Wilmer Rodenbeck
Laverne Linnemeier	10109 Bethel Road Fort Wayne, In	Laverne Linnemeier

(If additional space is needed, use reverse side.)

Legal Description checked by _____
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or requst that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordina being sent to the newspaper for legal publication. If the request for deferra continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at whi it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that ar ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the ma for hearing before the City Plan Commission. (FILING FEE $100.00)

Name and address of the preparer, attorney or agent.

(Name)	(Address & Zip Code)	(Telephone Number)
Summit Land Investments, Inc. Leroy Lepley	1120 Valley-O-Pine Fort Wayne, In 46845	219-627-6200

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street Fort Wayne, IN 46802 (PHONE: 219/ 427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hear approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

Attached

Owners of Property

(Name)	(Address)	(Signature)
Wilmer Rodenbeck	4723 Kroemer Road Fort Wayne, In	Wilmer Rodenbeck
Laverne Linnemeier	10109 Bethel Road Fort Wayne, In	LaVerne Linnemeier

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST "OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING FROM BEING HELD.

LEGAL DESCRIPTION SECTION III

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 31 NORTH, RANGE 12 EAST, ALLEN COUNTY INDIANA; THENCE WEST ALONG THE NORTH LINE OF THE SW 1/4 OF SEC. 14-31-12, A DISTANCE OF 70.0 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH WITH A DELFECTION ANGLE TO THE LEFT OF 90 DEGR. 13 MIN. 40 SEC. AND PARALLEL TO THE EAST LINE OF THE SW 1/4 OF SEC. 14-31-12, A DISTANCE OF 312.64 FEET; THENCE WEST WITH A DEFLECTION ANGLE TO THE RIGHT OF 90 DEGR. 00 MIN. A DISTANCE OF 378.0 FEET; THENCE NORTH WITH A DEFLECTION ANGLE TO THE RIGHT OF 90 DEGR. 00 MIN. AND PARALLEL TO THE EAST LINE OF THE SW 1/4 OF SEC. 14-31-12, A DISTANCE OF 314.14 FEET TO A POINT ON THE NORTH LINE OF THE SW 1/4 OF SEC. 14-31-12; THENCE EAST WITH A DEFLECTION ANGLE TO THE RIGHT OF 90 DEGR. 13 MIN. 40 SEC. ALONG SAID NORTH LINE, A DISTANCE OF 378.0 FEET TO THE POINT OF BEGINNING, CONTAINING 2.72 ACRES, SUBJECT TO THE RIGHT-OF-WAY OF LUDWIG ROAD OVER NORTH 37.5 FEET THEREOF, AND SUBJECT TO EASEMENTS.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 8, 1989 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-89-08-08: and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 21, 1989.

WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 28, 1989.

Certified and signed this
31st day of August 1989.

Robert Hutner
Secretary

FACT SHEET

Z-89-08-08

BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE: Zoning Ordinance Amendment From R-1 to P O D

APPROVAL DEADLINE:

REASON:

DETAILS

Specific Location and/or Address

400 Block of Ludwig Road, West of the Railroad tracks & South of the Airport.

Reason for Project

Professional Offices

Discussion (Including relationship to other Council actions)

21 August 1989 - Public Hearing

John Wernet, attorney for the petitioner stated that they would be submitting a letter of withdrawal prior to the business meeting for this petition.

28 August 1989 - Business Meeting

Motion was made and seconded to withdraw the petition as requested by the petitioner.

Of the six (6) members present five (5) voted in favor of the withdrawal, one (1) did not vote. Motion carried.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) Leroy Lepley City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	[X] For [ ] Against Reason Against
Board or Commission Recommendation	By [ ] For [ ] Against [ ] No Action Taken [ ] For with revisions to conditions (See Details column for conditions)
CITY COUNCIL ACTIONS (For Council use only)	[ ] Pass [ ] Other [ ] Pass (as amended) [ ] Hold [ ] Council Sub. [ ] Do not pass

DETAILS

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No - ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start Date 20 July 1989

Projected Completion or Occupancy Date 31 August 1989

Fact Sheet Prepared by Date 31 August 1989

Patricia Biancaniello

Reviewed by Date August 31, 1989

Tony Maglio

Reference or Case Number

#402

ORIGINAL ORIGINAL

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Managemnt - C&ED

SYNOPSIS OF ORDINANCE 400 Block of Ludwig Road, West of Railroad Tracks and South of the Airport.

2-89-08-08

EFFECT OF PASSAGE Property is presently zoned R-1 - Single Family Residential. Property will become P.O.D. - Professional Office District.

EFFECT OF NON-PASSAGE Property will remain - R-1 - Single Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

(ASSIGN TO COMMITTEE (J.N.)

withdrawn (by pet)

BILL NO. Z-89-08-08

REPORT OF THE COMMITTEE ON REGULATIONS

JANET G. BRADBURY, CHAIRPERSON
DAVID C. LONG, VICE CHAIRMAN
EDMONDS, SCHMIDT, TALARICO

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN (ORDINANCE) ~~(RESOLUTION)~~ amending the City of Fort Wayne Zoning Map No. L-38

Request to withdraw

HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) ~~(RESOLUTION)~~

DO PASS	DO NOT PASS	ABSTAIN	NO REC
Janet G. Bradbury			
[illegible]			
D. Long			
Samuel J. Talarico			

DATED: 9-26-89.

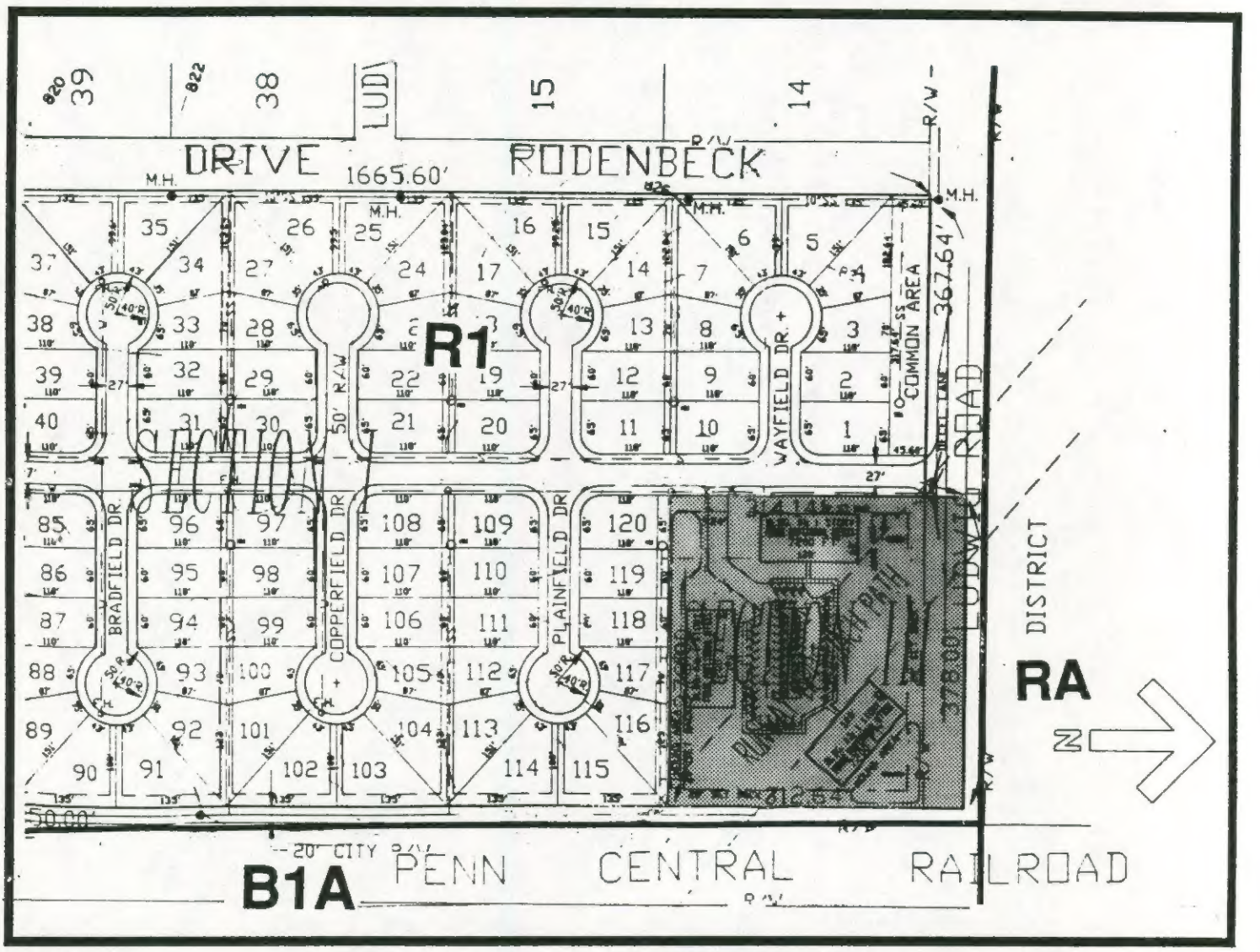
Sandra E. Kennedy
City Clerk

REZONING PETITION #402

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM A **R1** DISTRICT TO A **P.O.D.** DISTRICT.

MAP NO. **L-38**

COUNCILMANIC DISTRICT NO. **3**



ZONING:

R1 RESIDENTIAL DISTRICT

B1A LIMITED BUSINESS "A"

RA RESIDENCE "A"

LAND USE:

☐ *SINGLE FAMILY*

☐ *COMMERCIAL*

SCALE: NTS

DATE: 7-25-89